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UNCLAS OTTAWA 000970

SIPDIS

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E.O. 12958: N/A

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SUBJECT: CANADA ON SUPPORT FOR EXISTING DRAFT SHIP BOARDING
AMENDMENTS TO SUA CONVENTION

REF: A) OTTAWA 943 B) STATE 55182

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ACCORDINGLY.

1. (U) Polmiloff discussed reftel B points with Catherine Boucher, in the UN, Criminal and Treaty Law Division (JLA) at Foreign Affairs Canada late on March 31. Boucher prefaced her comments by noting that Canada-U.S. consultations on this matter are on-going. In this regard, collaboration has been excellent, she said.

2. (SBU) Regarding demarche points, Boucher said that the Canadian government was still working through elements of the draft text internally. While the GOC readily could support "most of the text," potential concerns had been raised about the adequacy (or lack) of a domestic legal structure to address claims/compensation and drug-related interventions. Boucher stressed that Canada would rather not reopen provisions of Draft Article 8bis given the "difficulties of negotiations" at the IMO. But the government also wanted to avoid having to pass new legislation at this time. (NOTE: Though Boucher did not elaborate, we believe that the "minority" status in Parliament of the Martin government is a factor in this. The parliamentary minority has created a highly-charged political environment that makes it difficult for the Liberals to advance their legislative agenda. The government is focused on avoiding a no-confidence vote that would force elections before the Liberals have greater assurance of winning a majority. END NOTE.). Boucher said she would welcome the opportunity to learn from members of the U.S. delegation what provisions/ measures exist in U.S. law to cover claims and drug-related ship boardings.

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